

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NEW YORK STATE TEACHERS'
RETIREMENT SYSTEM, Individually
and on Behalf of All Other Persons
Similarly Situated,

Plaintiffs,

Civil Case No. 14-11191
Honorable Linda V. Parker

v.

GENERAL MOTORS COMPANY,
DANIEL F. AKERSON, NICHOLAS S.
CYPRUS, CHRISTOPHER P. LIDDELL,
DANIEL AMMANN, CHARLES K. STEVENS, III,
MARY T. BARRA, THOMAS S. TIMKO, and GAY P. KENT,

Defendants.

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**OPINION AND ORDER DENYING MOTION FOR
RECONSIDERATION FILED BY DONALD C. MARRO (ECF NO. 152)**

On May 19, 2016, after a fairness hearing held on April 20, 2016, this Court issued an opinion and order granting Lead Plaintiff's motion for final approval of the settlement and plan allocation in this class action lawsuit. (ECF No. 130.) In doing so, the Court rejected Donald C. Marro's objections to the settlement. (*See id.*) On June 13, 2016, Mr. Marro filed a notice of appeal and an application to proceed in forma pauperis on appeal. (ECF Nos. 134, 135.) This Court denied Mr. Marro's application to proceed in forma pauperis on June 20, 2016, as well as his motion for reconsideration of that decision. (ECF Nos. 139.) Defendants and

Lead Plaintiff thereafter filed motions asking the Court to order Mr. Marro to order a copy of the transcript designated to be included in the record on his appeal (i.e., the transcript of the April 20, 2016 fairness hearing). (ECF No. 143, 144.) Mr. Marro filed a response to the motions. (ECF No. 146.) Defendants and Lead Plaintiffs filed reply briefs. (ECF No. 148, 150.) This Court granted the motions on August 16, 2016.

Presently before the Court is Mr. Marro's motion for reconsideration of that decision. (ECF No. 152.) Mr. Marro complains that he was not provided an opportunity to respond to new arguments raised in the moving parties' reply briefs. Mr. Marro appends his response to those arguments to his pending motion.

As an initial matter, there is no provision in the Local Rules for the Eastern District of Michigan that speaks to the filing of sur-replies. In any event, nothing newly asserted in the movants' reply briefs influenced the Court's decision with respect to whether to grant their motions. Moreover, the arguments raised in Mr. Marro's motion for reconsideration fail to demonstrate a palpable defect in this Court's decision to grant Defendants' and Lead Plaintiffs' motions, much less a defect which, when corrected, would result in a different disposition of the motions. *See* E.D. Mich. LR 7.1(h)(3).

Accordingly,

IT IS ORDERED, that Donald C. Marro's motion for reconsideration (ECF No. 152) is **DENIED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: October 13, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, October 13, 2016, by electronic and/or U.S. First Class mail.

s/ Richard Loury
Case Manager